

BEFORE THE TENNESSEE REGULATORY AUTHORITY

Nashville, Tennessee

In Re:

Enforcement of Interconnection Agreement between BellSouth  
Telecommunications, Inc. and XO Tennessee, Inc.

Enforcement of Interconnection Agreement between BellSouth  
Telecommunications, Inc. and ITC^DeltaCom.

Docket No. 02-01203

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**XO'S FIRST ROUND OF DISCOVERY QUESTIONS**

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XO hereby submits the following interrogatories to BellSouth Telecommunications Inc.

**Preliminary Matters and Definitions**

When not otherwise specified the term "BellSouth" refers to BellSouth Telecommunications, Inc. and/or to any affiliated corporate entity, engaging in the offering of regulated telephone services in Tennessee. When not otherwise specified the term XO means any XO affiliate.

With respect to each of the following interrogatories, in addition to supplying the information requested, please identify any and all documents that support, refer to, or evidence the subject matter of each interrogatory in your answers thereto. If any or all of the documents identified herein are no longer in your possession, custody or control because of destruction, loss, or other reason, then you are requested to identify each such document fully, including the nature and type of the document, its date, the identity of the person who prepared the document, and the identity of the person or entity for whom it was prepared, and to the extent possible, you are requested to summarize the contents of the document and state the manner and date of the disposition thereof. If any of the requested documents are objected to or not produced on the

basis of privilege, please include in your response to production, for each document, a written statement evidencing:

- a. The nature and type of the document;
- b. The date;
- c. The author of the document;
- d. The recipient;
- e. The sender; and
- f. A brief description of the contents sufficient to allow the TRA to rule on a motion to compel.

Consistent with the preceding definitions and preliminary matters, answer under oath the following:

### **INTERROGATORIES**

1. Describe how BellSouth determines whether and when to request that a CLEC submit to an audit of its EEL circuits.

### **ANSWER:**

2. Does BellSouth contend that the audit limits and requirements set forth in the FCC's *Supplemental Order Clarification*, 15 FCC Rcd 9587 (June 2, 2000) ("SOC"), do not apply to BellSouth's current request to audit XO's EEL circuits? If not, why not?

### **ANSWER:**

3. Does BellSouth contend that XO waived any of its rights or protections under the language of the SOC governing EELs and EEL audits?

**ANSWER:**

4. Does BellSouth contend that it can demand an audit of XO's EELs without any reasonable basis for such demand?

**ANSWER:**

5. State, with specificity, any basis for BellSouth's demand for an audit of XO's EELs in Tennessee.

**ANSWER:**

6. List all CLECs purchasing EELs from BellSouth in Tennessee.

**ANSWER:**

7. For each of the CLECs listed in response to number 6 above, please provide the following, in T-1 equivalents:

- (a) the total number of new EEL circuits purchased;
- (b) the total number of non-EEL UNE loops purchased;
- (c) the total number of special access circuits purchased;
- (d) the total number of special access circuits converted to EELs;
- (e) the number of EELs, new and converted, as a percentage of all circuits purchased from BellSouth, including special access and UNE loops.

**ANSWER:**

8. By state, list all CLECs currently being audited.

**ANSWER:**

9. List the CLECs, in each state, of which BellSouth has completed an audit.

**ANSWER:**

10. Has BellSouth withdrawn its audit request of any CLEC in any state? If so, list the CLECs, the states, and the reason(s) for such withdrawal.

**ANSWER:**

11. List each CLEC, by state, for which BellSouth conducted traffic studies or similar analysis of traffic measurements or recordings to determine whether an audit is warranted.

**ANSWER:**

12. Explain the type(s) of traffic studies, if any, conducted for each CLEC, and XO in particular, including a detailed explanation of the correlation between such traffic studied and the particular EEL circuits in question.

**ANSWER:**

13. Explain and quantify, with specificity, the expected impact on such traffic studies if all of the EELs purchased by a CLEC carried: (a) 100% local traffic; (b) 50% local traffic; and (c) zero percent local traffic.

**ANSWER:**

14. Describe the traffic types routed via feature group D trunks, generally, and specifically, on XO's feature group D trunks in Tennessee.

**ANSWER:**

15. Explain and quantify, with specificity, the expected impact on the traffic mix routed via XO's feature group D trunks in Tennessee if all of the EELs purchased by XO in Tennessee consistently carried: (a) 100% local traffic (b) 50% local traffic; and (c) zero percent local traffic.

**ANSWER:**

16. Explain the correlation, if any, between the amount of local traffic routed via feature group D trunks and the existence in the network of any EELs certified under the FCC's Option 1," (SOC, ¶ 22). ("Option one" provides that the CLEC will be the exclusive local service provider to the customer and sets forth that an EEL can be used for "100 percent interstate access traffic").

**ANSWER:**

### **Requests for Production of Documents**

If not already provided in connection with an Interrogatory, provide the following documents:

1. Provide copies of all traffic studies, reports, analysis papers, notes, correspondence, conclusions, spreadsheets, related to any traffic study or similar analysis of traffic measurements or recordings performed on the traffic of XO or any XO affiliate, and identify those studies on which BellSouth has relied in demanding an audit of XO's EELs.

**ANSWER:**

2. Provide copies of all traffic studies or similar analysis of traffic measurements or recordings, reports, analysis papers, notes, correspondence, conclusions, spreadsheets, related to BellSouth traffic routed over feature group D trunks.

**ANSWER:**

3. Provide any and all correspondence, records, e-mails, notes, and documents of any kind related to the conversion of XO special access circuits to EELs, including any documentation relating to the date of initial request, date of conversion, date of billing adjustment, etc.

**ANSWER:**

4. For the documents identified in number 1 above, provide the same documentation of any traffic studies or similar analysis of traffic measurements or recordings conducted prior to the issuance of the SOC.

**ANSWER:**

5. Provide copies of all documents, including, but not limited to, notes, e-mails, proposals, correspondence, brochures, contracts, meeting notes, engagement letters related to the proposed auditor and/or BellSouth's engagement of said auditor.

**ANSWER:**

6. Provide copies of all internal correspondence, electronic or otherwise, regarding BellSouth's proposed audit of XO.

**ANSWER:**



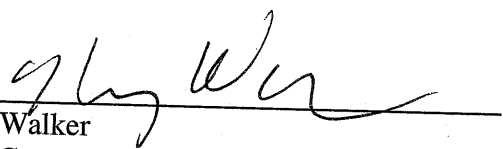
7. Provide copies of any documents referencing or evidencing an agreement to not audit a CLEC.

**ANSWER:**

8. If not produced in response to the interrogatories or production of documents set forth above, provide copies of any and all documents on which BellSouth intends to rely in support of BellSouth's complaint.

**ANSWER:**

Respectfully submitted,

By:   
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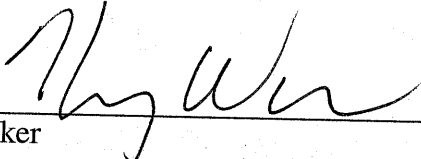
Dated this 14th day of February, 2003.

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, to the following on this the 14th day of February, 2003.

Guy Hicks, Esq.  
BellSouth Telecommunications, Inc.  
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Henry Walker